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AUG 13 2004

Applicant(s) Andrew Philip Brown
For WIRELESS HEADSET-BASED COMMUNICATION
Serial No. 10/065,895
Filed: November 27, 2002
Docket No 71522-3

DECLARATION UNDER 37 C.F.R. § 1.131 OF ANDREW PHILIP BROWN

Commissioner for Patents
Washington, DC 20231

Sir:

ANDREW PHILIP BROWN hereby declares that

1. I am a citizen of the United Kingdom and a resident of Temple Grafton, Warwickshire, U.K. I am the sole inventor named in the above-identified U.S. patent application.
2. Prior to August 31, 2001, I had conceived the concept of a wireless headset-based communication arrangement, comprising a first subscriber unit, a wireless headset associated with the first subscriber unit to form a wireless communication apparatus; a detector within the wireless communication apparatus to detect a spatial proximity of at least one second subscriber unit or second wireless headset; where in response to that detection, the wireless headset associated with the first subscriber unit is adapted to communicate directly with a second subscriber unit or second wireless headset. Prior to August 31, 2001, I had also conceived a wireless headset comprising a transmitter; a receiver for communicating with its associated communication unit in a first mode of operation, and a processor for selecting a second mode of operation of the wireless headset to communicate directly with one or more alternative communication units or wireless headsets of the alternative communication units.
3. Attached as Exhibit A is a copy of a Stage 1 Patent Suggestion form showing an outline of the concept for a cordless hands-free headset and short range communicator. All

relevant dates have been redacted, but they are prior to August 31, 2001. Exercising due diligence, Sando International Limited (assignee of the present U.S. application) filed UK Patent Application No. GB 0128473.6 at the UK Patent Office on November 28, 2001 for my invention. On November 27, 2002, the present patent application (10/065,895) was filed, claiming priority from the UK Patent Application.

3. The documents show at least a conception prior to August 31, 2001, with due diligence to a reduction to practice subsequent to August 31, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 9 Aug 2004

By: APB

ANDREW PHILIP BROWN

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